

REPORT - PLANNING COMMISSION MEETING
July 24, 2003

Project Name and Number: Tan Residence (PLN2003-00199)

Applicant: Randy Tan

Proposal: A planned district minor amendment for site plan and architectural approval for a 7,260 square foot detached single-family dwelling (including a 1,046 square foot garage).

Recommended Action: Approve, subject to conditions

Location: 44611 Highland Place

Assessor Parcel Number(s): 513-0280-013-00

Area: 17,930 square feet

Owner: Randy Tan

Agent of Applicant: Tony Meo, Designer

Environmental Review: The proposed single-family residence is categorically exempt under CEQA per Section 15303, New Construction of a single-family residence in a residential zone.

Existing General Plan: Low Density Residential (2 to 3.5 dwelling units per acre)

Existing Zoning: P-96-11, Residential Planned District

Existing Land Use: Undeveloped

Public Hearing Notice: Public hearing notification is applicable. A total of 32 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Aguila Terrace, Vista Del Sol, Hunter Lane, Mission Boulevard, Overlook Terrace and Grapevine Terrace. The notices to owners and occupants were mailed on July 13, 2003. A Public Hearing Notice was delivered to The Argus on July 9, 2003 to be published by July 14, 2003.

Background and Previous Actions: In June of 1996, the City Council approved Planned District P-96-11 to allow for the creation of a 13-lot single-family residential subdivision located east of Highland Lane in the Mission San Jose Planning Area. The Planned District requires Planning Commission review and approval of the site plan and architecture for all proposed custom residences within the Planned District. Additionally, the City Council approved a set of design guidelines detailing specific architectural characteristics which must be included in the design of each residence. The adopted styles of architecture included: Mediterranean, Italian Villa and Monterey/Spanish Eclectic.

In October of 1999, the applicant received Planning Commission approval to construct a 7,352 square foot (including a 957 square foot garage) new single-family residence on the lot. The architect indicated that the approved residence was designed to reflect a contemporary design. The floor plan was designed similar to other residences that were either an Italian Villa or a Mediterranean design located in the Planned District, but

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incorporated more contemporary and high-quality type building materials. The approved residence would have incorporated barrel-shaped and flat roofs constructed of standing seam metal roofing material, wood windows, smooth and non-textured stucco as the primary wall surface material and shades of gray as exterior colors. With minor design, the Planning Commission found that the contemporary designed residence satisfied the architectural design guidelines for the project (See Informational 4).

Shortly thereafter, the applicant applied for and received building permit approval by the Development Organization. The applicant then proceeded to obtain bids for the project, only to realize that only a few specialty contractors are skilled in constructing barrel-shaped standing seam metal roofs.

In February of 2003, the property owner subsequently applied for a complete architectural redesign from the approved contemporary designed residence to "traditional Spanish architecture". In a letter addressed to staff, the property owner provided reasons for the major design revision (Informational 1). In general, the massing, scale and site planning of the new proposed residence have remained unchanged.

Architecture/Design Analysis: The applicant's designer describes the proposed residence as a "traditional Spanish style residence". The designer indicates that no changes have been made to the floor plan, grading plan, landscape plan, except for exterior elevations of the residence and a reduction of balcony areas. The terracing of the residence is maintained to follow the existing hillside. In summary, the applicant believes the following proposed architectural elements lend themselves to a traditional Spanish style residence:

- Spanish clay "S"-shaped tile roof with a 4:12 roof pitch to match lot slope;
- Simple massing of structure and of small scale and terraced to follow the hillside;
- Window design, shape and trim detail and scale;
- Old world stucco finish with Spanish colors;
- Custom decorative wrought iron rail at balconies (see cut-sheet in Exhibit A);
- Pergolas at both balconies;
- Six-inch recessed, arched and rectilinear aluminum clad wood windows;
- Old world wood entry and garage doors;
- Buttressed walls at all elevations;
- Exposed rafter tails;
- Clay tile vent pipes at gable roofs;
- Spanish style porcelain tile inlays and at base of front entry;
- Wrought iron window grilles; and
- Elaborated Spanish style tiled chimney roof top and shaped chimney.

The redesigned project continues to comply with the required setbacks on all sides. Although the residence is designed in three levels, no portion of the residence exceeds two stories. The building form is typically two stories with one story elements interspersed on at least three sides. Aluminum clad wood windows (previously wood windows) are proposed for all window openings. Additionally, the applicant has incorporated modifications previously requested by the Planning Commission that remain applicable to the massing and site planning of the revised design of the residence. These modifications include:

1. The two, two-car garages have been further recessed, particularly the two-car garage on the right side of the west elevation to provide for further relief and building articulation;
2. The driveway now incorporates textured paving; and
3. All elevations facades are consistent in detailing.

The applicant's designer proposes to use a "Deerskin" beige as the primary wall color with a similar color for trim elements. The aluminum-clad wood windows are proposed as a lighter crème color, and the custom wrought iron railing (Condition 12) is proposed to be a black color. A color board will be provided at the meeting. The color and design of the porcelain tile inlays and porcelain tiles at the base of the front entry are not provided. These porcelain tile treatments will be subject to staff review and approval during the Development Organization process (Condition 11). The color palette, however, may require changes, as the proposed colors appear peachy and inconsistent with colors typical of a Spanish style residence. A Spanish style residence generally incorporates an off-white color as the primary wall color, a dark brown as an accent color (trim and window sill), and a contrasting color for tile inlays. The applicant will be required to continue to work with staff on the selection of the final colors (Condition A-10).

Staff suggested and the applicant's designer incorporated modifications to the project since its initial submittal (See Informational 3—Original Submittal). The applicant applied exposed rafter tails in the redesign of the roof; incorporated buttress walls and pergolas at both balconies on the upper floor; recessed aluminum clad wood windows at least six-inches; replaced all rectilinear windows emulating arched windows to true arched windows; redesigned the front gable roof element at the guest room to be symmetrical with eaves at both ends; arched openings at the front entry and other locations; added wrought iron grilles and porcelain tile treatments; included an elaborated Spanish style tiled chimney roof top and shaped chimney; eliminated the window on the lower floor at the mechanical room (west elevation) and replaced it with a louvered mechanical vent for ventilation; and, further recessed the garage doors. In addition, the wrought iron railings at the balconies on the upper floor and terrace on the main floor are revised to be more decorative and ornate (cut sheet included in Exhibit "A").

The applicant's designer worked with staff to produce a design which meets the intent of the design guidelines for the Planned District. The design of the home provides sufficient covered parking, while avoiding garage doors at the front of the home. Terracing of the residence fits with the existing grade as originally proposed. To this end, staff believes that only minor refinement of architectural element treatments, such as the application of the porcelain tile, building color selection, and front door selection, are necessary to achieve a Spanish style residence. These minor enhancements and detailing can be worked out during the Development Organization review process (Condition 13).

Parking: The FMC requires a minimum of two covered parking space per single-family dwelling. In satisfying this requirement, the proposed project provides four covered parking spaces in tandem. Additionally, the motor courtyard provides at least four additional off-street parking spaces.

Open Space/Landscaping: Approximately 6,995 square feet of the lot is open space. The landscape plan has been revised to reflect the minor revision in the footprint of the residence to include a curved wall at the living room. However, no changes were made to the plant palette despite the change in the architectural style of the residence. Staff recommends that the entire plant palette be revisited to reflect the new Mediterranean/Spanish architectural character of the proposed residence. Most of the trees and shrubs proposed, such as Japanese Maple, Bradford Pear and Japanese Boxwood, are inconsistent with a Mediterranean palette. Staff suggests incorporating trees which include the *Olea Europaea* (European Olive) and *Chamaerops Humilis* (Mediterranean Fan Palm). Shrubs should include *Pride of Madera* and *Salvia* (Sage). A condition of approval is included to reflect these recommendations (Condition A-19).

Grading & Drainage: The subject parcel has an elevational difference of 15 feet with topography that ranges from 445 feet to 460 feet. The project site is moderately steep with a uniform slope extending throughout the site. The grade difference for the proposed building pad is 9 feet. The proposed grading for the residence complies with the standards of the Hill Area as well as the guidelines adopted for the Hunter Highlands. All grading will be subject to staff review and approval during the Development Organization review process.

Urban Runoff Clean Water Program: The Federal Clean Water Act of 1972 and Water Quality Act (1987) require localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.

Development Impact Fees: This project will be subject to Citywide Development Impact Fees. These fees include fees for fire protection, park facilities, capital facilities and traffic impact. These fees shall be calculated at the fee rates in effect at the time of building permit issuance. The parkland dedication in lieu fee was paid at the time of final map issuance for the Planned District.

Waste Management: This project involves the construction of a single-family residence and shall be subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the City's Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted to include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. For storage purposes, the garbage and recyclable containers for this project must be located in a appropriate location and fully screened, subject to review and approval by Development Organization staff (Condition A-20).

Environmental Review: The proposed single-family residence is categorically exempt under CEQA per Section 15303, New Construction of a single-family residence in a residential zone.

Response from Agencies and Organizations: No responses have been received to date.

Exhibits:	Exhibit "A"	(Site Plan, Site Plan, Grading Plan, Landscape Plan, Floor Plan, Elevations and Computer Generated Model)
	Exhibit "B"	(Conditions of Approval)
	Exhibit "C"	(Color and Material Board)

Enclosures:	Exhibit "A"	(Site Plan, Grading Plan, Landscape Plan, Floor Plan, Elevations)
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Informational	Info "1"	(Owner's Request for Modification letter)
	Info "2"	(Design Concept)
	Info "3"	(Initial Redesign Submittal to staff)
	Info "4"	(Previously Planning Commission Approved Residence Design)

Recommended Actions:

1. Hold public hearing.
2. Find PLN2003-00199 is in conformance with the relevant provisions contained in the City's existing General Plan. The project conforms to the goals and objectives of the Mission San Jose Planning Area.
3. Approve PLN2003-00199, as shown on Exhibit "A", subject to the conditions of approval set forth in Exhibit "B"

EXHIBIT "B"
Tan Residence
Planned District Minor Amendment
PLN2003-00199

Conditions:

Prior to building permit issuance

- A-1 The project shall conform to Exhibit "A", all of the applicable conditions of approval for P-96-11, and all the conditions of approval set forth herein.
- A-2 The applicant shall submit appropriate plans to the Development Organization for review to ensure compliance with all City codes and policies. Any changes or modifications required through the Development Organization review process shall be incorporated into the project.
- A-3 The project shall be subject to City-wide Development Impact Fees. These fees may include fees for fire protection, park facilities, capital facilities and traffic impact. The fees shall be calculated at the rate in effect at the time of building permit issuance.
- A-4 Windows, doors, visibility of address and the like shall conform to the Security Ordinance, No. 2007, as amended, subject to the review and approval of staff during the Development Organization review process.
- A-5 Minor revisions of the site plan, building location and architectural details may be permitted within the overall context of the approved design concept, subject to the approval of the Planning Director during the Development Organization review process.
- A-6 The project shall conform to the City's Hazardous Fire Area requirements as set forth in Chapter 16, Uniform Building Code, as amended.
- A-7 An approved automatic fire extinguisher system (AFES) shall be installed throughout the residence, subject to review and approval of staff during the Development Organization review process.
- A-8 All retaining walls shall be constructed of appropriate reinforced material and designed to match the texture and color of the building. No retaining wall shall exceed three feet in height.
- A-9 The location of open (true wrought iron) and solid (wood) fencing shall be clearly indicated on plans. Consistent with the Fremont Municipal Code, solid fencing may be used only between adjoining structures and for privacy to a point twenty feet beyond the rear building line. Open screen fencing shall be used in all other locations.
- A-10 The applicant will be required to continue to work with staff on the selection of the final colors appropriate for a Spanish style residence, subject to review and approval by staff during the Development Organization review process.
- A-11 The application, including color and design, of the porcelain tile inlays and tiles at the base of the front entry shall be subject to review and approval by staff during the Development Organization review process.

- A-12 The wrought iron railing shall be true wrought iron as depicted in the cut sheet made part of Exhibit "A". Any changes to the appearance and style of the wrought-iron shall be subject to the review and approval of staff during the Development Organization review process.
- A-13 The applicant shall continue to work with staff during the Development Organization review process for further enhancement of all architectural elements consistent with a traditional Spanish style residence.
- A-14 The developer shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board.
- A-15 The project plan shall include erosion control measures to prevent soil, dirt, debris, or other pollutants from entering the storm drain system during and after construction. A separate plan shall be submitted for this purpose and shall be subject to review and approval of Development Organization staff during the Development Organization process.
- A-16 The developer is responsible for ensuring that all contractors are aware of all storm water quality measures and that such measures are implemented. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
- A-17 The project drainage plans shall be revised to incorporate the existing sub drain, which runs through the center of the property, and any new foundation sub drains. The precise location of the existing sub drain shall be determined by the project civil engineer and shown on the drainage plan. Modification of the existing sub drain may be required, subject to approval of staff during Development Organization.
- A-18 The applicant shall submit a detailed soils report including recommendations regarding drainage structures and the existing sub drain, prepared by a qualified soils engineer registered by the State of California.
- A-19 The applicant shall submit a revised landscape plan with a Mediterranean plant palette consistent with Spanish style residence, subject to staff review and approval during the Development Organization review process.
- A-20 The location of trash/recycling bins shall be appropriately located on the site and screened, subject to the review and approval of Development Organization staff.

Prior to forming and framing:

- B-1 The project architect/ engineer shall submit a letter to the City certifying that the finished pad and floor elevations are consistent with the approved plans, subject to the review and approval of the Planning Director.

During Construction:

- C-1 Prior to installation of the stucco coat, the applicant or the applicant's representative, shall request an inspection of the residence by the project planner in order to ensure compliance with all of the architectural detailing of the building as specified in the approved drawings.
- C-2 The property owner shall be responsible for litter control and sweeping of all paved surfaces. All on-site storm drains shall be cleaned immediately before the start of the rainy season beginning on October 15 each year, subject to the review of the Building/ Public Works Inspector.
- C-3 Construction activities shall be limited to the following hours of operation:

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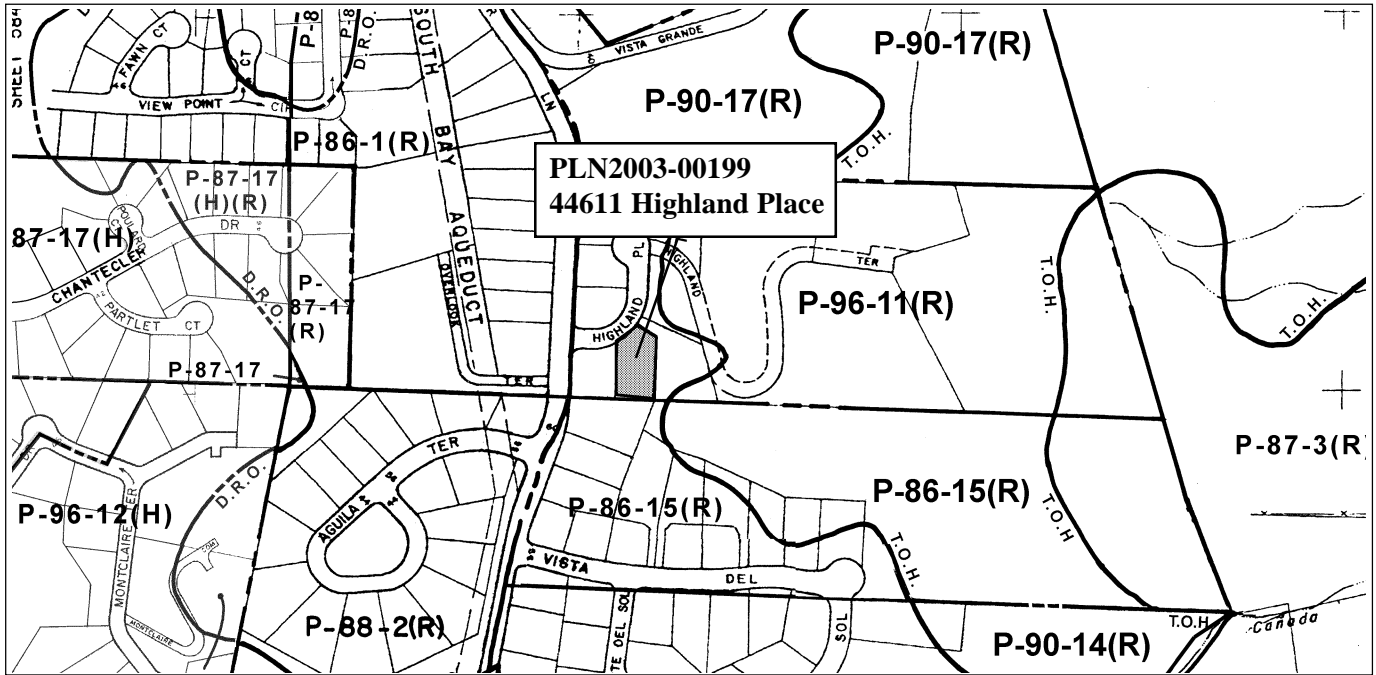
7 a.m. to 7 p.m. Monday through Friday
9 a.m. to 6 p.m. on Saturday

Failure to comply with the above-mentioned hours of operation will result in revocation of permits.

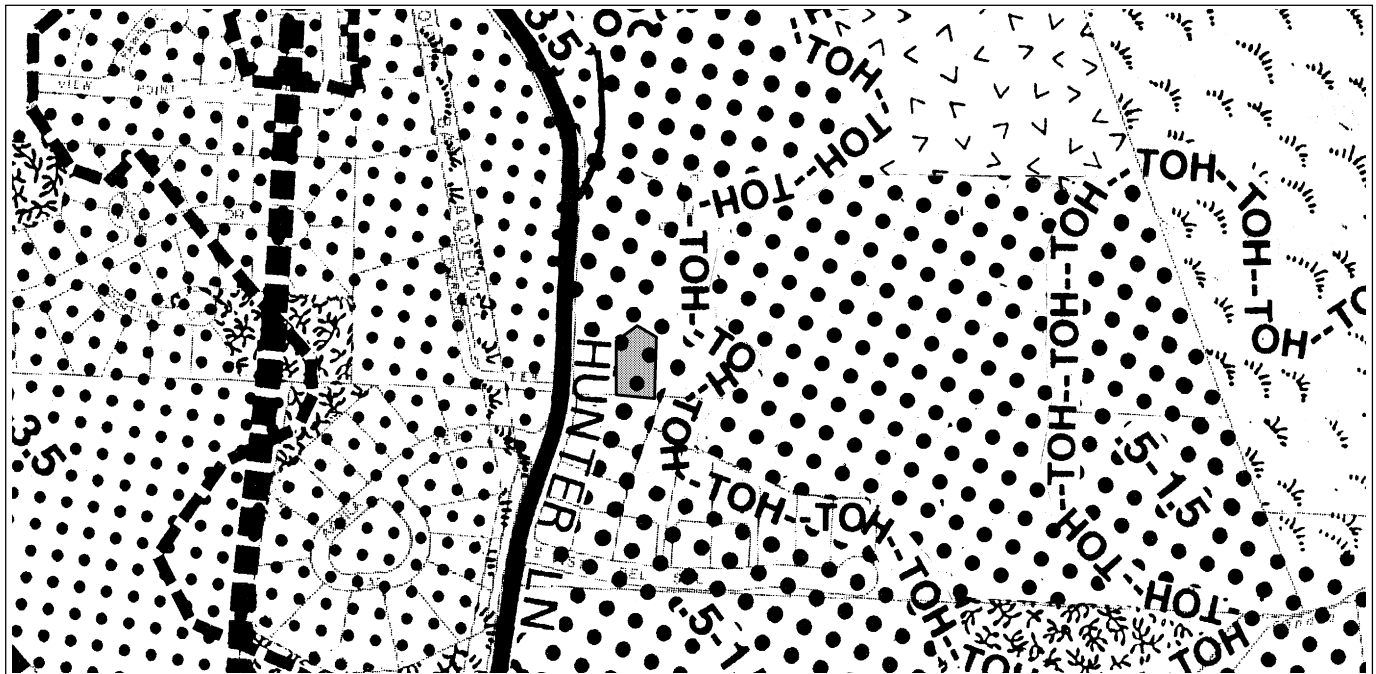
Prior to release of building for occupancy:

- D-1 The Project Architect shall submit a letter to the City certifying the building and its associated landscaping have been constructed in conformance with the approved architectural plan, subject to the review and approval of the Planning Director.

INFORMATIONAL



Existing Zoning



Existing General Plan

Project Number: PLN2003-00199 (PD Minor Amend)
Project Name: Tan Residence
Project Description: To consider a Planned District Minor Amendment for the construction of a new 6,195 square foot single-family dwelling located in the Mission San Jose Planning Area. This project is categorically exempt from environmental review per CEQA section 15303, New Construction.

Note: Prior arrangements for access are not required for this site.

